

REMARKS

Claims 12 and 13 have been cancelled. Claims 1, 5, 6, 9, 14 and 43 have been amended. Claims 1-7, 9-11, 14-20 and 43 remain for further consideration. No new matter has been added.

The objections and rejections shall be taken up in the order presented in the Office Action.

1. Claims 1 currently stands rejected under 35 U.S.C. 112, second paragraph, because the limitation “the laser radiation” in the last clause allegedly has insufficient antecedent basis.

In response, Claim 1 has been amended herein to remove the limitation “the laser radiation” in the last clause. As such, it is respectfully submitted that the indefinite rejection of Claim 1 is now hereby moot and should be removed, and that Claims 1-7, 9-11, 14-20 and 43 are in condition for allowance.

2. Claims 1-4, 9-12, 16-20 and 43 currently stand rejected under 35 U.S.C. 102(b) for allegedly being anticipated by U.S. Patent No. 6,134,003 to Tearney et al. (hereinafter “Tearney”).

In response, Claim 1 has been amended herein to add the features of Claim 13, which depends directly from Claim 1 and which was indicated in the Office Action to be merely objected to (Office Action, pg. 6). As such, it is respectfully submitted that the anticipation rejection of Claims 1-4, 9-12, 16-20 and 43 is now hereby moot and should be removed, and that Claims 1-7, 9-11, 14-20 and 43 are in condition for allowance.

3. Claims 5-7 currently stand rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over Tearney as applied to claim 1 above, and further in view of Official Notice that the use of multiple light sources and optically connecting them with a beamsplitter is well known.

In response, because Claim 5 depends directly from Claim 1 which has been amended herein to place it in condition for allowance, it is respectfully submitted that

the obviousness rejection of Claim 5-7 is now hereby moot and should be removed, and that Claims 1-7, 9-11, 14-20 and 43 are in condition for allowance.

4. The indication of Claims 13-15 as being merely objected to, but being allowable if rewritten in independent form, is noted and appreciated. As discussed above, Claim 13 has been cancelled and Claim 1 has been amended to add the features of Claim 13. As such, it is respectfully submitted that Claims 1-7, 9-11, 14-20 and 43 are in condition for allowance.

For all the foregoing reasons, reconsideration and allowance of claims 1-7, 9-12, 16-20 and 43 is respectfully requested.

If there are any additional charges with respect to this Amendment, please charge them to Deposit Account No. 06-1130.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

/Richard H. Kosakowski/

Richard H. Kosakowski
Registration No. 33,934
Attorney for Applicant

Date: April 14, 2010
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford, CT 06103
Customer No. 23413
Telephone: (860) 286-2929
Facsimile: (860) 286-0115